
Commerce & Labor Committee

HB 1932

Brief Description: Regarding presumptive occupational diseases affecting firefighters.

Sponsors: Representatives Williams, Hinkle, Appleton, O'Brien, Conway, Simpson, Liias, Moeller and Van De Wege.

Brief Summary of Bill

- Adds esophageal cancer to the list of cancers that are presumptive occupational diseases for industrial insurance purposes for certain firefighters.
- Adds Methicillin-resistant Staphylococcus aureus (MRSA) to the list of infectious diseases that are presumptive occupational diseases for industrial insurance purposes for certain firefighters.

Hearing Date: 2/10/09

Staff: Kate Moeur White (786-5793) and Joan Elgee (786-7106)

Background:

A worker who, in the course of employment, suffers disability from an occupational disease is entitled to benefits under the Industrial Insurance Act. To prove an occupational disease, the injured worker must show that the disease arose "naturally and proximately" out of employment.

For members of the Law Enforcement Officers' and Fire Fighters' retirement system and certain private sector firefighters, there is a prima facie presumption that the following are occupational diseases: respiratory disease, certain heart problems, specified cancers, and infectious diseases. The presumption for cancers only applies to firefighters who have served at least 10 years and who showed no evidence of cancer in a qualifying medical examination upon entering the profession. The presumption for cancer extends to brain cancer, malignant melanoma, leukemia, non-Hodgkin's lymphoma, bladder cancer, ureter cancer, colorectal cancer, multiple myeloma, testicular cancer, kidney cancer, and prostate cancer prior to age 50. The presumption for

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infectious diseases extends to Human Immunodeficiency Virus/Acquired Immunodeficiency Syndrome, hepatitis, meningococcal meningitis, and mycobacterium tuberculosis.

The presumption of occupational disease may be rebutted by a preponderance of evidence, including, but not limited to: use of tobacco products, physical fitness and weight, lifestyle, hereditary factors, and exposure from other employment or non employment activities.

Methicillin-resistant Staphylococcus aureus (MRSA) infection is a type of staph infection that is resistant to certain antibiotics. MRSA infections occur most frequently among persons in hospitals and healthcare facilities who have weakened immune systems. In the community, MRSA infections are usually manifested as skin infections, and occur in otherwise healthy people. Factors that have been associated with the spread of MRSA skin infections include: close skin-to-skin contact; openings in the skin, such as cuts or abrasions; contaminated items and surfaces; crowded conditions; and poor hygiene.

Summary of Bill:

Esophageal cancer is added to the list of cancers that are presumptive occupational diseases for industrial insurance purposes for certain firefighters.

Methicillin-resistant Staphylococcus aureus (MRSA) is added to the list of infectious diseases that are presumptive occupational diseases for industrial insurance purposes for certain firefighters.

Rules Authority: The bill does not address the rule-making powers of an agency.

Appropriation: None.

Fiscal Note: Requested on 2/3/09.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.